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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,597	12/28/2000	Ravi Ganeshan	23952-0126	4821
29052	7590	03/09/2006	EXAMINER	
SUTHERLAND ASBILL & BRENNAN LLP 999 PEACHTREE STREET, N.E. ATLANTA, GA 30309			HAMILTON, LALITA M	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/749,597	GANESAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lalita M. Hamilton	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 December 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,4-9,11-17 and 19-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4-9,11-17 and 19-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION****Summary**

On December 14, 2004, an Office Action by Examiner Sandra Snapp was sent to the Applicant. On March 14, 2005, the Applicant responded by amending claims 1, 8, and 16. On September 19, 2005 and December 27, 2005, the Applicant responded in response to Notice of Non-responsive notices that were sent to the Applicant on August 26, 2005 and November 30, 2005. The Examiner of Record has changed. The following action will be made non-final.

***Claim Rejections - 35 USC § 101***

The 101 rejection set forth in the previous Office Action has been withdrawn.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-9, 11-17, and 19-25 rejected under 35 U.S.C. 102(e) as being anticipated by Sacks (2002/0016765).

Sacks discloses a method and corresponding system and article of manufacture for electronic payments comprising receiving, by a payment service provider during an enrollment session over the network, information identifying a network user, information identifying a payment account associated with the network user, and a payment request to execute a payment on behalf of the network user, the network user being previously unknown to the payment service provider, verifying by the payment service provider of

the received information identifying the network user and the received information identifying the payment account; receiving or generating by the payment service provider during the enrollment session of a unique user identifier associated with the previously unknown network user, storing by the payment service provider of the received information identifying the network user and the received information identifying the payment account in association with the received or generated unique user identifier; and if the received information is verified, directing by the payment service provider of a debit from the identified payment account associated with the network user to execute the payment without the payment service provider receiving the unique user identifier in regards to the received payment request during another session over the network or otherwise, and wherein at least one of the verifying, storing and directing are performed by a computer (p.1, 6-9; p.2, 16 and 19; and p.2, line 24 to p.3, line 33); the unique user identifier is generated by the payment service provider, and transmitting, by the payment service provider during the enrollment session, the generated unique user identifier if the received information is verified, and transmitting, by the payment service provider during the enrollment session, a notice of one of verification of the received information and acceptance of the payment request for execution, and non-verification of the received information and non-acceptance of the payment request for execution (p.1, 6-9; p.2, 16 and 19; and p.2, line 24 to p.3, line 33); the generated unique user identifier is transmitted with the notice of verification of the received information and acceptance of the payment request for execution (p.1, 6-9; p.2, 16 and 19; and p.2, line

24 to p.3, line 33); the generated unique user identifier is transmitted at one of a time prior to directing the debit, and a time subsequent to directing the debit (p.1, 6-9; p.2, 16 and 19; and p.2, line 24 to p.3, line 33); the information identifying the network user, the information identifying the payment account, and the payment request are received from one of the network user, and a sponsor which maintains a Web site with which the network user is associated, and the notice is transmitted to at least one of (1) the network user, and the sponsor (p.1, 6-9; p.2, 16 and 19; and p.2, line 24 to p.3, line 33); and the unique user identifier is an account number used to identify the network user to the payment service provider (p.1, 6-9; p.2, 16 and 19; and p.2, line 24 to p.3, line 33).

***Response to Arguments***

Applicant's arguments with respect to claims 1-2, 4-9, 11-17, and 19-25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LMH